

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant,

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and Bernard L. Madoff,

Plaintiff,

v.

SOCIETE GENERALE PRIVATE BANKING
(SUISSE) S.A. (*f/k/a* SG Private Banking Suisse
S.A.), individually and as successor in interest to
Societe Generale Private Banking (Lugano-
Svizzera) S.A.; SOCGEN NOMINEES (UK)
LIMITED; LYXOR ASSET MANAGEMENT
INC. (*f/k/a* SG Asset Management, Inc.), as
General Partner of SG AM AI Premium Fund
L.P.; SG AUDACE ALTERNATIF (*f/k/a*
SGAM AI Audace Alternatif), now acting by
and through its manager, Lyxor Asset
Management S.A.S.; SGAM AI EQUILIBRIUM
FUND (*f/k/a* SGAM Alternative Diversified
Fund), now acting by and through its liquidator,
KPMG Advisory Sarl; LYXOR PREMIUM
FUND (*f/k/a* SGAM Alternative Multi Manager
Diversified Fund), now acting by and through its
trustee, Societe Generale S.A.; SOCIETE
GENERALE S.A., as Trustee for Lyxor

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation
(Substantively Consolidated)

Adv. Pro. No. 12-01677 (CGM)

Premium Fund and Successor in Interest to
Banque de Reescompte et de Placement a/k/a
Barep and to Societe Generale Asset
Management Banque d/b/a Barep; SOCIETE
GENERALE LUXEMBOURG (f/k/a Societe
Generale Bank & Trust S.A.); OFI MGA
ALPHA PALMARES (f/k/a Oval Alpha
Palmares); OVAL PALMARES EUROPLUS;
and UMR SELECT ALTERNATIF;

Defendants.

STIPULATION AND ORDER

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et. seq.*, and the substantively consolidated Chapter 7 estate of Bernard L. Madoff, on the one hand, and defendants Societe Generale Private Banking (Suisse) S.A. (f/k/a SG Private Banking Suisse S.A.), individually and as successor in interest to Societe Generale Private Banking (Lugano-Svizzera) S.A.; Socgen Nominees (UK) Limited; Lyxor Asset Management Inc. (f/k/a SG Asset Management, Inc.), as General Partner of SG AM AI Premium Fund L.P.; SG Audace Alternatif (f/k/a SGAM AI Audace Alternatif), now acting by and through its manager, Lyxor Asset Management S.A.S.; SGAM AI Equilibrium Fund (f/k/a SGAM Alternative Diversified Fund), now acting by and through its liquidator, KPMG Advisory Sarl; Lyxor Premium Fund (f/k/a SGAM Alternative Multi Manager Diversified Fund), now acting by and through its trustee, Societe Generale S.A.; Societe Generale S.A., as Trustee for Lyxor Premium Fund and Successor in Interest to Banque de Reescompte et de Placement a/k/a Barep and to Societe Generale Asset Management Banque d/b/a Barep; Societe Generale Luxembourg (f/k/a Societe Generale Bank & Trust S.A.); OFI MGA Alpha Palmares (f/k/a Oval Alpha Palmares); Oval Palmares Europlus; and UMR Select Alternatif (collectively, the “Moving

Defendants,” and together with the Trustee, the “Parties”), on the other, by and through their respective, undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on April 19, 2022, a scheduling Stipulation and Order was entered by this Court (ECF No. 134);

WHEREAS, on April 29, 2022, the Moving Defendants filed two separate Motions to Dismiss the complaint filed in this action, Adv. Pro. No. 12-01677 (Bankr. S.D.N.Y. May 30, 2012), ECF No. 1, as amended by stipulation and order entered on April 18, 2022, ECF No. 133 (ECF Nos. 139-42, 143-45);

WHEREAS, the Trustee is to file any oppositions to the Moving Defendants’ motions to dismiss on or before June 28, 2022, and seeks to combine those oppositions;

WHEREAS, the Moving Defendants are to file any reply briefs on or before July 28, 2022, and seek a one-month extension.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel that:

- 1.) On or before June 28, 2022, the Trustee will file one collective brief in opposition to the two pending motions to dismiss not to exceed 55 pages.
- 2.) The Moving Defendants are to file any reply briefs on or before August 26, 2022.
- 3.) This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photocopy, or electronic copy of this Stipulation shall be deemed an original.

[Remainder of Page Intentionally Left Blank]

Dated: New York, New York
June 20, 2022

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for the Chapter 7 Estate of Bernard L. Madoff*

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S.A., Socgen Nominees (UK) Limited, Lyxor Asset
Management Inc., SG Audace Alternatif, now acting by
and through its manager, Lyxor Asset Management
S.A.S., SGAM AI Equilibrium Fund, now acting by and
through its liquidator, KPMG Advisory Sarl, Lyxor
Premium Fund, now acting by and through its trustee,
Societe Generale S.A., Societe Generale S.A., as
Trustee for Lyxor Premium Fund and Successor in
Interest to Banque de Reescompte et de Placement a/k/a
Barep and to Societe Generale Asset Management
Banque d/b/a Barep, and Societe Generale Luxembourg*

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and through its manager, Lyxor Asset Management
S.A.S., SGAM AI Equilibrium Fund, now acting by and
through its liquidator, KPMG Advisory Sarl, Lyxor
Premium Fund, now acting by and through its trustee,
Societe Generale S.A., Societe Generale S.A., as
Trustee for Lyxor Premium Fund and Successor in
Interest to Banque de Reescompte et de Placement a/k/a
Barep and to Societe Generale Asset Management
Banque d/b/a Barep, and Societe Generale Luxembourg*

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Palmares Europlus, and UMR Select Alternatif*

SO ORDERED.

**Dated: June 27, 2022
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**